

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that House Bill 1052 be amended to read as follows:

- 1           Page 4, between lines 21 and 22, begin a new paragraph and insert:  
2           "SECTION 6. IC 9-30-4-3 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2008]: Sec. 3. **(a) The bureau**  
4           **shall give notice of an order or act under section 1 or 2 of this**  
5           **chapter by certified mail not more than five (5) business days after**  
6           **the order is issued or the act is taken.**  
7           ~~(a)~~ **(b)** A person aggrieved by an order or act of the bureau under  
8           section 1 or 2 of this chapter may, within fifteen (15) days after notice  
9           is given **under subsection (a)**, file a petition in the circuit or superior  
10          court of the county in which the person resides. If the person is a  
11          nonresident, the person may file a petition for review in the Marion  
12          circuit court.  
13          ~~(b)~~ **(c)** The petitioner must state facts showing how the order or act  
14          of the bureau is wrongful or unlawful, but the filing of a petition does  
15          not suspend the order or act unless a stay is allowed by a judge of the  
16          court pending final determination of the review on a showing of  
17          reasonable probability that the order or act is wrongful or unlawful.  
18          ~~(c)~~ **(d)** The court shall, within six (6) months of the date of the filing  
19          of the petition, hear the petition, take testimony, and examine the facts  
20          of the case. The court may, in disposing of the issues, modify, affirm,  
21          or reverse the order or act of the bureau in whole or in part and shall  
22          make an appropriate order. If the petition has not been heard within six  
23          (6) months from the date of the filing, the original order or act of the  
24          bureau shall be reinstated in full force and effect."

- 1      Renumber all SECTIONS consecutively.  
         (Reference is to HB 1052 as printed January 16, 2008.)

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Representative Grubb